CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND NINETY-FIRST PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 31 January 2002, at 10.15 a.m.

President: Mr. Mohamed Tawfik (Egypt)

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The PRESIDENT (translated from Arabic): I declare open the 891st plenary meeting of the Conference on Disarmament.

At the outset, I should like to extend, on behalf of the Conference, a warm welcome to the new Permanent Representative of the Democratic Republic of the Congo, Ambassador Antoine Mindua Kesia-Mbe, and I should like to assure him of our cooperation in his new assignment.

On my list of speakers for today I have the representatives of Australia and Brazil and the Ambassador of Colombia, on behalf of the Group of 21. I now give the floor to the representative of Australia, Ambassador Les Luck.

Mr. LUCK (Australia): Mr. President, at the outset, I would like to extend to you my warm congratulations and best wishes formally - since this is the first time I have taken the floor - on your appointment as President of the Conference and assure you of my delegation's full cooperation in seeking progress in the work of the Conference this year.

May I also, through you, Mr. President, express the very best wishes to all the many colleagues who have left our company in the months since we last met, including your own former ambassador, Ambassador Fayza Aboulnaga, who was indeed a very close colleague and friend, but there are many others, of course, who have left us, and may I also extend a warm welcome to our many new colleagues - and they are many - I shall not list them all, but let me just say how much we look forward to working constructively with each and every one of them.

Mr. President, we are facing important challenges in international security. A changing global strategic environment and the growing risk of proliferation of weapons of mass destruction and delivery systems, including to non-State actors, require renewed efforts to build a more secure world.

Few would disagree that 2001 was a particularly difficult year on the disarmament front. Since its inception, the Conference on Disarmament has played a central role in developing a multilateral arms control and disarmament regime. Despite the myriad of challenges we now face, however, it is of considerable disappointment to Australia that, for several years now, we have been unable to agree on a work programme for the Conference on Disarmament, let alone contribute in any substantive way to consideration of the range of complex and pressing issues that we have before us.

Frankly speaking, the Conference on Disarmament is in danger of becoming marginalized in international efforts to address the various security challenges that we face. While Australia recognizes that many such challenges fall outside the traditional purview of the Conference on Disarmament, we believe that we are duty-bound to use this important forum more effectively to advance those key arms control, disarmament and non-proliferation objectives that we have collectively identified as worthy of our attention.

(Mr. Luck, Australia)

Australia remains firmly committed to a strong, relevant and dynamic Conference on Disarmament and urges all member States to reach the necessary compromises to allow consensus on a programme of work at this session.

In this regard, Australia, for its part, believes that the proposed programme of work put forward in mid-2000 by the former distinguished representative of Brazil, Ambassador Amorim, in his capacity as president of the Conference, presents us with a realistic and balanced approach, which takes into account the interests of all members of the Conference.

I would ask delegations to consider whether it is better to see such a programme of work adopted, or whether it is preferable to let the CD languish for yet another year, unable to commence discussions even on those issues where there is broad support and where there is a real prospect of progress.

A key priority for Australia is the early commencement of negotiations for a fissile material cut-off treaty (FMCT). It is most disappointing that FMCT negotiations are yet to begin despite the FMCT having been repeatedly endorsed as the logical next step on the arms control and disarmament agenda, most recently in a consensus resolution adopted by the General Assembly at its fifty-sixth session. FMCT negotiations would also be a timely and welcome vote of confidence in multilateral arms control and disarmament.

There have been suggestions that a cut-off treaty would benefit non-proliferation but do little to advance nuclear disarmament. This is not a view which we share. We need look no further than the final document of the 2000 NPT Review Conference to see the relevance of the FMCT to nuclear disarmament. A cut-off treaty would facilitate progress on key disarmament outcomes of the 2000 final document. Capping the amount of fissile material available for use in weapons is essential to achieving irreversible nuclear disarmament. A cut-off treaty would also be a central and indispensable element of any verification regime for a world free of nuclear weapons, furthering the call in the 2000 final document for the development of verification capabilities for the achievement and maintenance of a nuclear-weapon-free world.

It is our firm hope that the Conference on Disarmament will make an early start on cut-off negotiations. But we are conscious that much time has been lost. We have a fresh opportunity now to initiate a programme of work, including negotiation of an FMCT. Australia is fully supportive of efforts to do this. If that cannot be done, however, Australia would see value in further informal work on FMCT issues, building on the workshops and seminars held last year. Such work would in no way be intended to undermine or replace the Conference on Disarmament, but to assist it. We hope that by facilitating progress on cut-off issues in the absence of formal negotiations, such informal work would pave the way for more rapid progress when formal negotiations begin in the Conference. Pending the emergence of the FMCT we urge all relevant States to join a moratorium on the production of fissile material for nuclear weapons.

(Mr. Luck, Australia)

I would also like to take this occasion to register the value and inherent complementarity with the overarching aims of the Conference on Disarmament of various non-proliferation, arms control and disarmament initiatives and instruments supported by Australia.

The NPT remains essential to our efforts to prevent the spread of nuclear weapons, facilitate access to the peaceful uses of nuclear energy, and advance nuclear disarmament. The start of the 2005 NPT review cycle, with the first meeting of the NPT preparatory committee scheduled for April this year in New York, renders it still more important that the Conference get back to work. A functioning Conference on Disarmament would demonstrate our collective commitment to progress on important 2000 NPT Review Conference outcomes. We look to all NPT parties to bring to the review process a spirit of cooperation consistent with our shared interests in maintaining and strengthening this vital treaty.

Australia's strong support for the Comprehensive Nuclear Test-Ban Treaty (CTBT) is based on the practical view that a complete ban on all nuclear testing is in our security interests, and the interests of all. We are disappointed that the CTBT is not yet in force. But with 165 signatories and 89 ratifications there should be no doubt that the CTBT has firmly established a powerful international norm against nuclear testing. We and many others will continue working until CTBT entry-into-force is achieved and we take this opportunity once again to urge those yet to sign or ratify the CTBT to do so without delay. Until the treaty enters into force the existing moratoriums on nuclear testing must be maintained.

Australia is committed to the universal adoption of a non-binding international code of conduct against ballistic missile proliferation. We have taken a close interest in the drafting of the code and would urge all States to support the code as a sign of their commitment to ballistic missile non-proliferation. A revised draft code has recently been circulated for consideration and we call on all States to participate in the first open-ended negotiating session, to be held in Paris next month.

Australia shares the disappointment expressed by many States at our inability to reach agreement on a substantive programme of work at the recent Review Conference of the Biological Weapons Convention. Australia worked hard with other delegations, both in the lead up to and during the Review Conference, to secure a number of practical initiatives to strengthen the BWC at this crucial time. While this was not possible, we take heart in the fact that States parties have agreed to reconvene the Review Conference later this year. We look forward to working with delegations over the coming year to develop specific proposals to ensure the continuing relevance and vitality of the Convention.

By contrast, the success of the Chemical Weapons Convention stands out. The CWC is the only international treaty, supported by a full verification regime, which bans a whole class of weapons. As the Convention nears its sixth year of operation, it is essential that this momentum does not falter and that the authority and credibility of the Convention are not in any way diminished. The strength and efficacy of the CWC is the responsibility of all States parties. Australia urges all parties to recommit themselves to the CWC through the timely and comprehensive fulfilment of their obligations under the Convention.

(Mr. Luck, Australia)

Australia remains a major contributor to international mine action. We are strongly committed to universalization of the Ottawa Convention and welcome the rapid progress which has been made in expanding the number of its adherents, currently 122 States parties and an additional 20 signatory States. We urge those parties which have not yet done so to accede to the Convention as soon as possible and, in the interim, to refrain from the laying of anti-personnel landmines, given the risks to civilian populations.

Mr. President, I had the honour of being appointed President of the Second Review Conference of the CCW, which, as you are aware, took place in December 2001. We were pleased that the Review Conference agreed to expand the Convention's scope and to establish a group of experts to consider further steps which might be taken to reduce the impact of the explosive remnants of war and anti-vehicle mines. Australia hopes that the goodwill and cooperative spirit among delegations to the CCW Review Conference can carry over into this forum, and assist us in achieving a long-overdue agreement on a programme of work.

Finally, Australia wishes to welcome the recently announced commitment of both the United States and Russia substantially to reduce their respective nuclear arsenals. Now that the United States has taken a decision to withdraw from the Anti-Ballistic Missile Treaty, we would urge both major Powers to intensify their dialogue on a new strategic framework that complements multilateral arms control and disarmament efforts and leads to enhanced global security.

In conclusion, Mr. President, there is much to be understood and discussed about the international strategic environment, which has shown fluidity and uncertainty in recent times. It presents both challenges and opportunities. We need to comprehend how we can best pursue long-standing goals for international peace and security in this changing environment. Collectively, we have denied ourselves the opportunity to have genuine and substantive discussions in this forum for a number of years. We can allow this to continue no longer. While we may not oe perfectly satisfied with the options before us, we believe that we must now make the most of the best opportunity - namely, that encapsulated in the Amorim proposal - which we have yet been able to devise for taking our work forward.

The PRESIDENT (translated from Arabic): I thank the distinguished Ambassador of Australia for his statement and for the kind words addressed to the Chair.

On my list I now have Brazil. I welcome Ambassador Luis Felipe Seixas Corrêa. You have the floor, Sir.

Mr. SEIXAS CORRÊA (Brazil): Mr. President, let me begin by expressing my satisfaction at seeing you, a distinguished representative of Egypt, a close friend of Brazil, a country fully committed to the cause of nuclear disarmament, and a New Agenda partner, preside over the Conference on Disarmament. At this crucial stage, with our annual session just beginning and expectations all the greater, you may count on the full cooperation of the Brazilian delegation. I wish you all success in your endeavours.

(Mr. Seixas Corrêa, Brazil)

I would also like to express my appreciation to Mr. Vladimir Petrovsky, Secretary-General of the Conference, and to his deputy, Ambassador Enrique Román-Morey, for their valuable support.

Mr. President, as I assume my responsibilities as head of the Brazilian Mission in Geneva, I wish to take this opportunity to make a few general comments and to expand on a number of policy matters that are of importance to us.

The events that have unfolded since last September have brought sorrow and distress to the whole world. We were all made abruptly aware of the fragility of our sense of security and well-being. Perhaps because of that, because we all felt ourselves in one way or another to be victims of the attacks of 11 September, an unprecedented consensus emerged as to the need to deal decisively with the hideous crime of terrorism. We can none of us safely say that we do not share this sense of insecurity and vulnerability. Security issues have become dominant in our agenda. The terrorist attacks and the possibility that their perpetrators could make use of weapons of mass destruction have highlighted the importance of the disarmament and non-proliferation regimes based on multilaterally negotiated instruments. As stated by the United Nations Secretary-General in his address to the General Assembly on international terrorism, we now feel more than at any other point in recent history the need to ensure "the universality, verification and full implementation of key treaties relating to weapons of mass destruction, including those outlawing chemical and biological weapons and the Nuclear Non-Proliferation Treaty".

In this context, recent developments in the international security environment and the new challenges facing the international community in the field of disarmament, non-proliferation and international security are a matter of deep concern for Brazil.

My country has a long-standing commitment to peace and disarmament. Ever since the early years of the Eighteen Nations Disarmament Committee and the Conference of the Committee on Disarmament we have acted in a constructive and cooperative manner. We do not believe in the logic of any system that relies on the stockpiling and the refining of armaments in order to ensure stability. We respect the United Nations Charter and we remain convinced that disarmament cannot be separated from the more general process of promoting the rule of law. We believe that issues relating to international security are of a universal nature and that they require multilateral responses within a framework of collective responsibility. It is our perception that, in terms of stability and predictability, nothing can replace multilaterally negotiated, legally-binding instruments. We stand committed to the Conference on Disarmament as the single multilateral negotiating forum in the field of disarmament, as well as to the cause of general and complete disarmament, under effective international control. Moreover, we are determined to accomplish the total elimination of all weapons of mass destruction.

Those are the principles that have guided and will continue to guide Brazil in this forum. I thought it appropriate to re-state them as we engage in the Conference's 2002 session.

(Mr. Seixas Corrêa, Brazil)

Some will say that this year - like many other years in the past - will go by and nothing will happen. World public opinion perhaps no longer believes in the possibility of breakthroughs in our proceedings. People are indeed disenchanted with the way things have been progressing - or to put it more appropriately, not progressing in this forum.

Maybe they are right. But maybe not. And while there is a glimmer of hope, there is a reason for us to persevere.

The Conference on Disarmament is starting its fourth consecutive annual session without a programme of work. I will abstain from digressing on this point and simply add my voice to those who have been stressing the implications of the current paralysis for the credibility of the Conference. We have before us a proposal for a programme of work. After more than one year expressing and reiterating support for document CD/1624, as a basis for further consultations, it is time to show the political will necessary to bridge the differences that prevent us from agreeing on a programme of work.

It is imperative to overcome immobility, as you, Mr. President, so pertinently remarked in your opening statement. Let us thus persevere.

The continued existence of nuclear weapons and the absence of a firm commitment to their total elimination constitute an incentive for potential proliferation. It follows that the indefinite retention of nuclear weapons by nuclear-weapon States is incompatible with the preservation of the integrity and sustainability of the nuclear non-proliferation regime and with the broader goal of the maintenance of international peace and security.

Brazil strongly favours disarmament, in particular nuclear disarmament, with the preservation and full compliance of all treaties and agreements already achieved in this field, as President Fernando Henrique Cardoso highlighted during his recent visit to Moscow.

Having in mind the pursuit of nuclear disarmament and non-proliferation, one cannot but look back at the important outcome of the 2000 NPT Review Conference and underline the unequivocal commitment then given by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals. The 2000 NPT Review Conference agreed on a detailed programme of action for nuclear disarmament, the so-called 13 steps of which provide a blueprint to assess the systematic and progressive efforts to implement article VI of the NPT. The Brazilian Congress gave legislative approval to the accession of Brazil to the NPT, on the understanding that the obligations contained in article VI would be fully and duly implemented. Starting next April, the preparatory process of the 2005 NPT Review Conference will test the willingness of the nuclear-weapon States to live up to their commitments and to the expectations they have generated. Let us persevere.

For virtually one and a half centuries, my country has been at peace with all its neighbours. We are proud to belong to a region free of international conflicts and historically attached to peace and to the cause of disarmament.

(Mr. Seixas Corrêa, Brazil)

The commitment of the Latin American and Caribbean countries to international peace and security is reflected in a number of regional and subregional instruments. In the field of weapons of mass destruction, the Treaty of Tlateloco, of 1967, which created the first nuclear-weapon-free zone in an inhabited area of the world, is a meaningful example of that determination. In the Southern Cone, even prior to the Chemical Weapons Convention, Argentina, Brazil and Chile renounced, by the 1991 Mendoza Accord, the use, production, acquisition, stockpiling and transfer of chemical and biological weapons. We were subsequently joined by Paraguay, Uruguay, Bolivia and Ecuador. The Political Declaration of Ushuaia, in 1998, established the Mercosur countries, and also Bolivia and Chile, as a zone free of weapons of mass destruction. More recently, the presidents of all the countries of South America decided to establish a South American zone of peace, as announced at the summit hosted by President Cardoso in Brasilia in September 2000.

Mr. President, let me conclude by paying tribute to my predecessor, Ambassador Celso Amorim, who, building on the valuable work of his predecessors - among them Ambassador Dembri and Ambassador Lint - crafted, as President of the Conference on Disarmament, a proposal that is still a reference for the Conference. The proposal contained in document CD/1624 has the merit of being endowed with what is termed in diplomatic language a certain "constructive ambiguity" that could be further explored. What we need is just the right degree of flexibility that will allow us to move forward without having any party lose sight of its vital security interests.

I do hope we will be able to get things moving in a positive way. It is never too late. Let us persevere.

The PRESIDENT (translated from Arabic): I thank the Ambassador for his statement and for his kind words addressed to the Chair. On my list of speakers I now have the distinguished representative of Colombia, Ambassador Camilo Reyes Rodríguez. You have the floor, Sir.

Mr. REYES RODRÍGUEZ (Colombia) (translated from Spanish): Mr. President, since this is the first time that my delegation is taking the floor at this session of the Conference on Disarmament, allow me to congratulate you on having assumed the leadership of our work, to thank you for the efforts that are being made to achieve agreement on the programme of work and to assure you of the total support and cooperation of the Group of 21 in carrying out your responsibilities.

Mr. President, I should now like to read out a statement by the Group of 21. Since that statement was negotiated in English, I shall read it out in that language.

(Continued in English)

(Mr. Reyes Rodríguez, Colombia)

"Statement by the Group of 21:

"The Group of 21 expresses its satisfaction that the Conference has adopted its agenda for the 2002 session. This session of the Conference on Disarmament commences its work against a backdrop of serious and multifarious challenges facing the international community in the field of disarmament, non-proliferation in all its aspects and international security, particularly the attempts to justify the perspective of indefinite possession of nuclear arsenals, related concepts of nuclear deterrents, including a revised strategic framework, and elements aimed to open more scope for possible use or threat of the use of force.

"The Group stresses that, as the single multilateral negotiating forum in disarmament, the Conference's programme of work should be responsive to these challenges and the interests and priorities of all its members in the aspirations of the international community in the field of disarmament, non-proliferation in all its aspects and international peace and security. The Group expresses its concern that the Conference on Disarmament was unable to take substantive work on the basis of an agreed programme of work since 1999, in spite of the demonstrated flexibility shown by the Group and the number of formal and informal proposals introduced by some of its members during their presidency of the Conference, namely the Rodríguez Cedeño proposal, the Dembri proposal and the Amorim proposal. The Group reaffirms its readiness to participate constructively in all efforts aimed at reaching agreement on a programme of work which is comprehensive and reflects the priorities of all the member States of the Conference on Disarmament.

"In this context, the Group reaffirms its proposal contained in CD/1570 and CD/1571 on the programme of work and a draft decision and mandate for the establishment of an ad hoc committee on nuclear disarmament.

"The Group emphasizes that nuclear disarmament remains the highest priority for the Conference on Disarmament. It stresses the importance of the possibility of nuclear war, the threats to humanity derived from the continued existence of nuclear weapons and the possible use or threat of use of nuclear weapons. It underscores the need to accomplish the total elimination of nuclear weapons and emphasizes, in this regard, the urgent need to commence negotiations without delay.

"The Group is seriously concerned about the lack of progress as expected following the unequivocal undertaking by nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, made during the 2000 NPT Review Conference.

"The Group has already expressed, in document CD/1549 of 12 August 1998, its position with regard to the establishment of an ad hoc committee under agenda item 1, entitled 'Cessation of the nuclear arms race and nuclear disarmament', which shall negotiate on the basis of the report of the special coordinator (CD/1299) and the mandate

(Mr. Reyes Rodríguez, Colombia)

contained therein, a non-discriminatory, multilateral, internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

"The prevention of an arms race in outer space has assumed greater urgency because of legitimate concerns that existing legal instruments are inadequate to deter imminent attempts for the further militarization of outer space. The possible consequences of the decision by one of the State parties to the Treaty on the Limitation of Anti-Ballistic Missiles (ABM) to withdraw from the Treaty brings new challenges in this issue. In accordance with United Nations General Assembly resolution 56/23, the Group emphasizes the urgent need for commencement of substantive work on the prevention of an arms race in outer space.

"While various approaches exist, the Group expresses its conviction that efforts for the conclusion of a universal and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued.

"Having in mind the context of the Conference on Disarmament, the Group is deeply concerned about the progressive erosion of multilateralism and emphasizes the importance of collective international efforts to enhance and maintain international peace and security. This can be best addressed through multilaterally negotiated non-discriminatory disarmament and non-proliferation treaties.

"The Group hopes that the Conference will commence early substantive work during the 2002 annual session and, to this end, affirms its readiness to participate constructively in all efforts aimed at reaching agreement on the programme of work. The Group urges other groups to display matching flexibility and calls upon the President of the Conference to intensify efforts aimed at finding agreement on a programme of work, so that the substantive work of the Conference can commence without delay, in accordance with the rules of procedure."

The PRESIDENT (translated from Arabic): I thank the distinguished Ambassador for that statement and for his kind words addressed to the Chair.

We have now completed our list of speakers for today. Does any other delegation wish to take the floor at this time? I see there are none.

I should now like to invite you to take a decision on the requests of Costa Rica, Philippines and Slovenia to participate as observers in the work of the Conference during this session, without having first considered them in an informal plenary. These requests are contained in document CD/WP.524, which is before you.

May I take it that Conference decides to invite Costa Rica, Philippines and Slovenia to participate in our work in accordance with the rules of procedure?

(The President)

It was so decided.

This concludes our business for today. Does any delegation wish to take the floor at this stage? I see no delegation asking for the floor.

Ambassadors, ladies and gentlemen. As we have reached the end of the Conference's second week of work, I should like to summarize the results of the informal consultations which I have conducted on the Conference's programme of work since Egypt assumed the presidency of the Conference at the beginning of this year's annual session.

First of all, I should like to stress that I endeavoured to ensure that those consultations were conducted in accordance with the rules of procedure and with the Conference's decision on the improved and effective functioning of the Conference on Disarmament (CD/1036), and in a spirit of complete transparency. I also endeavoured to hold informal consultations over the last week to allow all delegations to state their positions and views on the Conference's programme of work and to make the statements which we have heard during the plenary. I should like to express my appreciation and gratitude to all the delegations which exchanged their ideas with me on that subject.

I can state that, throughout the consultations, I sensed a great eagerness on the part of the members of the Conference to preserve the credibility of the Conference as the only multilateral forum for disarmament negotiations. I also sensed the real concern felt by many delegations at the continued paralysis in the Conference's work, at a time when the world is witnessing sweeping changes in all domains, including in the field of disarmament. In that regard, all the delegations with which I consulted have affirmed their commitment to the multilateral approach to disarmament, particularly in the light of international events affecting the international disarmament, arms control and non-proliferation machinery.

In spite of what I have just said, I am unable, at present, to provide you with a quick solution to the paralysis which has beset the Conference for so many years. This situation has been brought about by international circumstances with which we are all familiar and has nothing to do with any shortcomings in the Conference's ways of working. The Presidency will do everything in its power to reach agreement on the Conference's programme of work by examining options and alternatives that could allow us to begin our substantive work, in keeping with the aspirations of member States to achieve international peace and security for all.

I welcome any proposals and ideas in that connection and encourage all delegations to take advantage of plenaries to state their positions and raise any issues concerning the agenda which they consider important.

Following that brief account, I should like to inform you that the next plenary meeting of the Conference will be held on Thursday, 7 February 2002, at 10 a.m. in this room.

The meeting rose at 11.10 a.m.